Blending Identities

A Discourse Analysis of EU Immigration Politics

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Abstract

In a time of globalization and increased international cooperation, the future of the nation state and nationalism is not obvious. International organizations, like the European Union (EU), are becoming more important and cooperation within the EU is constantly reaching new levels. EU is in some ways acting like a nation state and is trying to create a fellow-ship among the Member States for a stronger EU community. Immigration is an issue that is very linked with nationalism, and EU is slowly taking over the decision making in this area from the Member States. My discourse analysis of the European Pact on Immigration and Asylum, adopted by the European Council in 2008, shows that the EU immigration politics create conditions for an EU identity to emerge. EU is abolishing the borders between the Member States, but is at the same time reinforcing the 'outer' borders of the Union. This lends itself to the concept of a common EU territory. The European Pact is also referring to EU citizens as European citizens, which renders people living in Europe but outside the EU uncertain of where they belong. These politics strengthen the notion of 'us' (inside EU) and 'them' (outside EU) which contributes to a common EU identity. However, nation states still have an important role to play and their citizens are not ready to replace their national identities with an EU identity, but nothing prevents a dual national and EU identity from coexisting today.

Key words: immigration, nationalism, identity, nation state, EU

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1 Introduction

The European Union consists of nation states, and within these nation states we can see various degrees of nationalism. In a time of globalization and increased international cooperation, it is unclear what the role of the nation state will be. Some argue that the nation states are an ended chapter since the idea 'one nation, one state' is unrealistic and outdated. Others argue that the nation states still have a significant role to play in the international arena since it is difficult to speculate what would replace them.

Immigration is closely linked to nationalism and also an issue that EU is slowly taking over from the Member States. The EU politics are in most fields about openness to face today's global challenge. The EU strives for open borders for economic flows, but when it comes to immigration politics, the borders should be reinforced in order to keep unwanted migration out. This politics are more in line with a traditional nation state politics, than with open EU politics.

1.1 Statement of Purpose

My theory is that the EU to some extent can replace the nation states and to some extent aims to do this. In many ways, EU seeks to resemble a nation state to make its citizens loyal to the EU and maybe even identify with the EU.

In this thesis, I will explore deeper into the issue of immigration politics on EU level. Immigration is certainly an issue that affects the nation states since they are built on the idea of a homogeneous nation. Immigration politics are becoming more and more supra nationalized and EU is taking over this issue, which is historically linked to the nation states. I will analyze the EU immigration politics from the perspective of nationalism and identity politics, in order to see how the EU immigration politics affect the conditions for national identity versus an EU identity. My hypothesis is that the EU immigration politics tend to strengthen the EU identity and that this might undermine the national identity of the EU Member States.

The question I aim to answer is: ***Does EU immigration politics create conditions for an EU identity?*** Other important questions to answer include: *Are the nation states dying? What new forms of identities can be found? Does EU act like a nation state? Could an EU identity grow alongside the national identities?*

2 Method

2.1 Material

On October 16, 2008, under the leadership of the French presidency, the European Council adopted the *European Pact on Immigration and Asylum* (European Pact). This document is a continuation of *The Hague Programme* (Hague Programme) from 2005 and the *Global Approach to Migration.* My analysis will focus on the European Pact, but other documents from the European Council and the European Commission will also be important to examine and take into consideration. One of these is the already mentioned Hague Programme with an agreement of guidelines for the EU cooperation in the area of immigration and asylum. Its goal is to achieve a common asylum system by 2010 for all EU Member States.

The Global Approach to Migration, also adopted in 2005, is an overall framework for the international dimension of migration which emphasizes the importance of good cooperation with third countries. I will use a document published by the Commission in 2006, called *The Global Approach to Migration one year on: Towards a comprehensive European migration policy* (Global Approach to Migration one year on), that is a follow-up to the Global Approach to Migration.

In 2007, the Commission presented the *Green Paper on the future Common European Asylum System* (Green Paper). Its purpose was to create a dialogue about the asylum politics of the EU and to increase the protection for asylum seekers. Its goal was also to guarantee that asylum seekers would meet the same protection regardless to which Member State they are applying. This Green Paper will also be an important background document for my analysis, since the European Pact is to some extent the result of the dialogue created by the Green Paper.

A very important and complex term throughout this essay is 'illegal immigration'. In order to better understand the complexity and politics behind this term, I am also using a communication document from 2006 from the European Commission, called *Policy priorities in the fight against illegal immigration of third-country nationals* (Fight against illegal immigration).

In addition to these documents, the different EU bodies have presented several others and it is impossible to use them all in this thesis, but I believe I have made a choice that will cover most relevant areas.

2.2 Discourse analysis

My aim is to conduct a critical review of my empirical material. The point of departure is that language is contributing to shaping reality and poses questions about limits for what is acceptable in society. The text itself will help me to discover the conditions within social life, and the text can help to elucidate the conditions in a broader perspective (Esaiasson et al. 2005: 235). The language in itself do not reflect reality, but rather contributes in the shaping of reality (Bergström & Boréus 2005: 305).

According to Focault, a discourse is the practice that brings out a certain kind of statement (Focault 1993: 57). A discourse can be described as a system of rules that legitimizes some opinions but not others, and sets the rules for which opinions that have authority. But the rules within the discourse can change, which gives the discourses a dynamic characteristic (Bergström & Boréus 2005: 309).

While Focault and his traditional discourse analysis emphasize one discourse at the time, Laclau and Mouffe present a somewhat different type of discourse analysis. They argue that discourses can never be determined which gives room for a constant struggle over definitions of society and identity (Winther Jørgensen & Phillips 2000: 31). Language should be seen as a system of signs where the sign itself do not have a specific meaning. The significance of the signs is an open question and the discourse analysis aims to understand the process of which the signs obtain a meaning. The stability of a discourse is dependent on the signs' changes in significance. A *floating significant* is Laclau and Mouffe's term for signs especially open for different meanings and that are to be found in different discourses, i.e. 'rights'. A variant of a floating significant is *empty significant,* that is a sign that is drawn from myths and tradition to apply to people's feelings (Bergström & Boréus 2005: 314-316).

Another important term to keep in mind is *equivalent chains*. This means that the meaning of an element can be different depending in which context it stands (Bergström & Boréus 2005: 317). 'Immigration' for example can have a negative meaning if it is connected to criminality, but a positive meaning if it is connected to work force.

Antagonisms are based on conflict and according to Laclau and Mouffe, it takes some of its point of departure in the view of identity as something constructed and instable and will be signified by the division of 'us' and 'them'. Thereby antagonism can also be seen as an obstacle for the possibility of creating stable social identities. In this type of discourse analysis, identity is seen as something fleeting and it would be impossible for any group to obtain a unifying and stable identity (Laclau & Mouffe 2001: 122-123).

A person in a discourse will have some kind of *subject position* that will form how they see the world, e.g. 'woman' or 'parent'. This also makes the discourse more mobile and increases the level of insecurity in the identity term, something

that is characteristic for Laclau and Mouffe (Bergström & Boréus 2005: 319). Of course, I also have a subject position that will influence my analysis.

It is impossible to have a position outside of the discourses, claims Focault, and therefore it is also impossible to find a truth (Winther Jørgensen & Phillips 2000: 21). Hence, my goal is not to find the truth, but to find the discourses in my empirical material and to see what consequences this might have on the society.

3 Background

3.1 Migration

Migration has been always been a part of history and is a natural process that is necessary for development. But today, the immigrants are perceived as a threat and the countries of destination see themselves as victims of the immigration process. But the international migrants are not only individuals looking for a better life, but are a part of economical and geopolitical processes that connect countries and make the destination countries part of the process. The truth is that the destination countries are participants like everybody else. Often migrant flows are a result of circumstances outside of the migrants control and in some cases, a result of the states' actions. If poverty were the only reason for migration, the developed countries would face enormous invasions of migrants. But it is only a small proportion of poor people who are actually emigrating and migrants in general migrate from specific places to specific places in clear patterns. The EU itself is a good example which demonstrates that emigration does not occur based on the sole possibility for improved economic conditions. Citizens of the EU Member States have the right and freedom to move and work anywhere in the Union, and since there are still big socioeconomic differences between the Member States, one could expect large migrations to richer Member States. But out of all EU citizens, only a small number of people live in a Member State that is not their country of origin (Sassen 2000: 17-18, 25).

3.2 EU Immigration Politics

Free movement for workers, services, goods and capital are the 'four freedoms' that have been essential for the EU since the Treaty of Rome in 1957. From the beginning, this was linked to economic function and concerned only workers, not every citizen. With time, this has developed into also including students and other people, as long as they are able to support themselves. Free movement has been supra nationalized and must be implemented by the Member States. Since the 1970s, Member States have cooperated on national security measures, mostly related to responses to terrorism. But this area of cooperation has become wider as the European integration grew stronger during the 1980s. In 1985, the Schengen Agreement between France, Germany and the Benelux countries was adopted in

an attempt to bring these states closer together by abolishing borders (Geddes 2003: 129-132). Today, 25 countries take part in the Schengen agreement.

Immigration and asylum issues were left national matters for a relatively long time. But the politics of creating a Europe without internal borders unavoidably raised issues of immigration and asylum, and cooperation in this area started to progress. Such cooperation was taken to a higher level in 1990, with the Dublin Convention. The Convention resolved that it would only be possible for asylum seekers to apply for asylum in one Member State, thereby ending the so called 'asylum shopping' (Geddes 2003: 132-133). The database *Eurodac*, was created in which Member States could find information about rejected asylum claims. However, the Dublin Convention did not harmonize the asylum politics in the Member States, so in reality only one Member State would be responsible for judging an asylum application. This Convention also brought a system of 'buffer zones' that would take some of the migration pressure off the EU countries (idem). These buffer zones were states in Central and Eastern Europe which, at the time, were not EU Member States. Today, however, most of those states are members in the EU themselves and the EU is considering new 'transit' countries.

Until 1999 immigration and asylum issues were under EU's third pillar and were then regulated mostly through state to state agreements. But with the Amsterdam Treaty, the politics on this area became a part of the supra government part of the EU cooperation. (Pinder 2007: 105-110).

Since 2004, the debate on immigration politics in the EU has intensified and steps are being taken toward a more common policy between the Member States. The EU migration politics had a strong emphasis on restricting immigration until the end of the 1990s, but not as much regarding protecting citizens and third country nationals. This changed with Article 13 in the Amsterdam Treaty that focused on anti-discrimination, including gender, race, ethnicity, religion, age, disability, and sexual orientation. Both direct and indirect discrimination would be tackled through EU legislation, which gives these issues further consideration from the EU than many Member States. In addition, EU has taken other measures that sought to fight racism and xenophobia. The increase in racist attacks, as well as the success of extreme right parties in some European countries, sent a clear message that the Member States would need to take action. The migrant inclusion policy that took shape in the 1990s had three focal points: EU citizenship rights for third country nationals; improved anti-discrimination protection; and a treatment of asylum seekers that would accord with international standards. The rights of asylum seekers have been a problematic issue due to the fact that EU policies have sought to limit the asylum seekers' possibilities to enter EU territory, and also made their access to welfare benefits more difficult. There is a common view within the EU Member States that many asylum claims are 'bogus'. It can also be argued that many Member States do not actually honor their international commitments made through EU, and shirk responsibility (Geddes 2003: 143-145).

EU has created a ground for free movement for all citizens of the Member States, the EU citizens. But for decades, there have been restrictions on who can and can not enter the EU territory. This inevitably leads to the question of 'good'

and 'bad' immigration. International migration is of highest relevance for the border issues and is therefore connected to security. The EU centers on removing borders as well as building borders. It seeks to create a Union without internal borders whereby the citizens of the Member States can move freely. But at the same time, the outer borders of the Union are being reinforced in order to keep the unwanted migration out. The Member States have given up some decision power to the EU in this matter, which of course challenges the role of the nation state. This does not necessarily imply a post-national universalism, but rather a Europeanized idea about membership by building borders around Europe. This creates a feeling of 'European belonging' (Geddes 2003: 142, 146-147).

With an EU membership for the Central European countries, a tighter control of the EU eastern borders followed, which can be seen as contradictory to the free movement framework that defines the EU project. Again, European integration is both about abolishing and building borders. The economic flow in and out of the EU should not be hindered, but the flow of people should, and so the EU seeks a balance between open economies but closed borders. This is from where the term 'fortress Europe' arises and some argue that Europe is drawing up a new iron curtain with the harder eastern borders of the EU (Sassen 2000: 145).

3.3   Previous Studies

The research on nationalism is vast. Someone who must always be mentioned in this context is Benedict Anderson and his *Immagined Communities,* who I will quote later on in the text. I will place a significant emphasis on Umut Özkirimli's text *Contemporary Debates on Nationalism* since he brings together different ideas and voices on nationalism in an illuminating manner. Also, the literature is broad and deep on the topic of immigration. I would like to mention Andrew Geddes, who gives a good background story to the immigration process in Europe, and Saskia Sassen who critiques how the west handles their immigration politics. The connection between nationalism and immigration is easily made and it is impossible to write about one of them without mentioning the other.

The question of an EU identity or a European identity is also an investigated area, as is EU immigration politics. I believe that my contribution to this debate is to unify these concepts, with an emphasis on the newly adopted European Pact on Immigration and Asylum.

4   Nationalism & Identity

The term *nation* became used more frequently in Europe during the 18ᵗʰ century, and during the 19ᵗʰ century, the nation states as we know them today took shape. In this context the term *nationalism* became more frequent as well. The definitions of these terms are, however, difficult to define precisely. In *Contemporary Debates on Nationalism,* Özkirimli stresses the problems of defining nations as objective or subjective phenomena, and if nationalism stems from culture or politics (Özkirimli 2005: 14-15). He claims that the nation can not be understood in terms of objective markers or subjective feelings alone, but that these work together. He also claims that it is the ability to bring culture and politics together that gives nationalism its power. His conclusion is that nationalism is best understood as a form of discourse, and that this conceptualization enables us to move beyond the objective/subjective and culture/politics distinctions in order to understand what is common to all forms of nationalism (Özkirimli 2005: 28-29). "…nationalism is a particular way of seeing and interpreting the world, a frame of reference that helps us make sense of and structure the reality that surrounds us." (Özkirimli 2005: 30.)

Özkirimli maps four dimensions of the discourse of nationalism. These four dimensions need to exist for nationalism to flourish. These are the *spatial dimension* (the need of a common territory), the *temporal dimension* (a common history or common prospect for the future), the *symbolic dimension* (object or happenings) and the *everyday dimension* (social patterns and behavior in the everyday life) (Özkirimli 2005: 179-194). The EU is in some ways trying to make those dimensions real for an EU community as I will get deeper into below.

In Özkirimli's theory of nationalism as a discourse, there are also four ways in which the nationalist discourse operates. Firstly, it divides the world into *us* and *them,* and separates the world into friends and enemies. Secondly, the discourse of nationalism is about power and domination, and creates hierarchies among the actors. It produces hierarchies and has to be understood from other forms of potential communities that are being ruled out. Thirdly, this discourse naturalizes itself and the national values are taken for granted. As a fourth remark of the discourse of nationalism, Özkirimli claims that it operates through institutions. Nationalism does not arise out of nothing, but is produced by a whole system of institutions, and the national identity is learned through socialization. With this background, it seems impossible to be unaffected by national ideas. This discourse is so deeply rooted in our system and everyday life that no one can escape it, but we can acknowledge its existence (Özkirimli 2005: 32-33).

Benedict Anderson's theory in *Imagined Communities* is to some extent in line with Özkirimli. He states, "It would, I think, make things easier if one treated it [nationalism] as if it belonged with 'kinship' and 'religion', rather than with

'liberalism' or 'fascism'." (Anderson 2006: 5.) Anderson's debated definition of nation and nationalism is as follows:

> "In an anthropological spirit, then, I propose the following definition of the nation: it is an imagined political community – and imagined as both inherently limited and sovereign. It is imagined because the members of even the smallest nation will never know most of their fellow-members, meet them, or even hear of them, yet in the minds of each lives the image of their communion. […] Nationalism is not the awakening of nations to self-consciousness. It invents nations where they do not exist." (Anderson 2006: 5-6.)

Imagined or not, nationalism is real and people go to war, risking their lives in the name of nationalism. As with religion, nationalism gives strong feelings of 'belonging' and different minded communities become a threat, leading to conflicts. A strong community equals a strong 'us', and the stronger the 'us' gets, the clearer is the contrast to 'them'. National borders, that are so crucial for the nation states, arise from the distinction between us and the other. But over the last several decades, social and political developments have undermined the identity constructions as based on a collective feeling, such as class, race or nation and have forced us to rethink the structures of identity and question them. We have to see that identity is not something fixed, but something that develops and changes over time via social and political constructions.

The EU was conceived as a means of overcoming the irrational nationalism that had contributed to two world wars and the rise of fascism in Europe. The supra nationality of the Union was not meant to eliminate the nation states, but to somehow control the national interests with a new order. Since the EU can be considered to have been founded on an antipathy towards nationalism, a focus on nationalism can help to evaluate the European integration (Laffan et al. 2006: 18).

4.1   Beyond Nationalism

What is the position of the nation state in today's global world? An increasing international cooperation and interdependence on the tracks of globalization set up new rules and conditions for established structures, such as the nation state. The changes that globalization develops are likely to undermine the nation states' position as a ground for identity building. At the same time, we can see that the local community becomes more important and new forms of identities are developing, such as cosmopolitanism. However, it is important not to be too quick to belittle the role of the nation state, as it is still a very strong and important actor.

4.1.1 Globalization

A common definition of globalization is an increased interdependence and all corners of the world are becoming more closely linked together due to an interpenetration of economic, political and cultural relationships. The problem with this definition is that it does not tell us anything about what is special and unique about *today's* globalization. Through history, we can see many examples of international cooperation and we need to specify what is special about what we see today. Also, the above definition does not take into consideration how the impact of globalization differs in various parts of the world, and tells us nothing about how global thought has become a part of people's consciousness (Özkirimli 2005: 127).

   The phenomenon of globalization could be perceived as a 'homogenization' and 'westernization'. According to this theory, globalization is a construct dominated by the west that is spreading its economical and cultural interests to the rest of the world. This in turn strengthens the gap between rich and poor while homogenizing cultures, and creates a 'McDonaldization of Society'. Other political scientists believe that this is an overstatement and a point of view that misses the impact which different cultures have in the west (Özkirimli 2005: 127-128).

   A definition that can better help us to understand the contemporary globalization is from Giddens, who argues that time and space become less important as the world becomes more incoherent. Globalization can thus be defined as "the intensification of worldwide social relations which link distant localities in such a way that local happenings are shaped by events occurring many miles away and vice versa" (Giddens 1990: 64).

4.1.2 New Challenges to the Nation State

The increasing interdependence in the world and pressure from globalization and identity politics put pressure on the nation states from above. Simultaneously, the nation states are challenged from underneath by the fact that people who used to identify with the nation, discover new identities that are connected locally, which make them feel both globally and locally connected. It could be argued that the nation states will be the most important actors when it comes to mediating between the local and the global communities, but the rise of transnational movements undermine this statement. The local community does not have to be a contradiction to the global one, but can be seen as a product of it, something we can call 'glocalization' (Özkirimli 2005: 126, 130).

   The nation states are being challenged as the primary forum for political decision making. A growing net of supra national actors, institutions, NGOs and transnational organizations, such as multinational corporations, become more and more important in policy making. This arrangement also implies that identities no longer have to be connected to a territory, and cosmopolitan solidarity becomes more important. The nation states are no longer the only option for fellowship and

loyalties (Özkirimli 2005: 132). So what we see is that globalization is rather a challenge to majority nationalism and not to nationalism *per se*.

Globalization opens up new forms of organizations and identity bases, but globalization can also be used in a negative sense to create an atmosphere in which identity and security are threatened. The new orders and challenges are framed as a threat that only the nation states can tackle. In this context, nationalism would be the only defense towards the divisions of globalization. Also, states are still the only acknowledged actors in organizations as the UN and NATO. It would be hard to see what the alternative could be, so it can not be denied that the states still have a role to play. However, the nation states have lost the position as the primary base for identity building. Non-national alternatives for shaping identities, such as class, gender, religion, sexual orientation etcetera, that can create fellowship based on interests or values, have developed. The increasing global consciousness also promotes cosmopolitan loyalties. The boost of cultural choice and options for the individuals makes it hard to remain loyal with one culture and one identity. The intercultural relationships intensify, and a multitude of choices erases the borders of the nations (Özkirimli 2005: 134-136).

In order to see possibilities for a new kind of state, capable to satisfy the needs of all citizens, we have to rethink the role of the nation state in the contemporary world. Nationalism is still important, not least in the third world, and if we are quick in abandoning the nation state and national identity, we are left uncertain of our options. It can also be misguiding since the global effects that many people face in their every day life do not necessarily promote a universally positive global consciousness (Yeĝenoĝlu 2005: 112-113).

4.2   EU as Identity?

Europe today is maybe more integrated than ever and integration is continuing at a rapid pace. In a time when the fundamentals of the nation state are challenged, EU sees the opportunity to present an alternative. There have been attempts to create a European identity in ways that imitates the nation state, for example with a common flag and an anthem, Özkirimli's *symbolic dimension* of nationalism. But for symbols to become legitimate, they need to have a connection to a phenomenon in the past or to common prospects for the future, the *temporal dimension.*

The previous chairman of the European Commission, Romano Prodi, has often referred to the EU cooperation as the 'reunification of Europe'. This is a rhetoric that speaks to a common European history and implies a common European identity. But Europe has never been unified in the way to which Prodi refers (Petersson & Hellström 2003: 6) and is what Laclau and Mouffe would call an *empty significant.* To create a base for an identity and a community, a common history to gather around is necessary, but if these points of reference are true or

fiction is not the most important. Most important is that it talks to people and that they embrace it and make it their own history (Özkirimli 2005: 183).

The nation states are nevertheless still a part of EU. Well aware of nationalistic feelings, the EU assures that even though EU will be strong, it will not be dominating. Decentralization and subsidiarity are keywords for the European integration. EU will not replace the nation state, but rather gather the nations in a feeling of a bigger whole, a bigger community. In the era of globalization, there is no nation state that alone can deal with the new challenges and therefore EU will be an important actor which will speak with one voice to the world arena. Some of the states will however face bigger difficulties than others to make their voice heard within the Union, which would cause a hierarchal structure among the Member States. Another problem with a strong EU identity is that it will create a need for a significant *other*. A stronger EU will mean a more concrete difference of who is within EU and who is not. There is a risk that groups that are already considered 'outsiders', for example Muslims, are *the other* and create even bigger gaps between groups (Petersson & Hellström 2003: 8, 13-16). The rise of racism and xenophobia is often connected to differences in culture and religion, but the simple fact may be that these feelings of difference lay in that the foreigner is actually an 'outsider' and therefore does not belong to the community (Sassen 2000: 19).

4.2.1 Nation States in EU

What brings nation states to voluntarily sacrifice a part of their sovereignty and leave it to EU to decide matters that affect them, such as migration issues? Economical interdependence and globalization have driven European integration at the same time as undermining the territory and function of the nation states. Internationalization of the economy has diminished the nation states' sovereignty. The nation states have been more or less forced into this situation and also to adjust human rights law and other universal orders. This means that citizens and immigrants have the possibility to take their own government to court. EU has in this perspective become a test of the relations between the nation state and transnational actors. When it comes to handling questions of immigration, a transfer from national level to EU level is in progress, and some Member States argue that this contradicts with protecting their sovereignty (Sassen 2000: 21-23).

On the other hand, one could also argue that nation states have strengthened their control and sovereignty due to the European cooperation, since they have now a wider control over migration flows over the whole continent. By maintaining migration politics on the EU level, governments can avoid political controversy within their own state. These two contradictory theses imply that nation states will either lose control to EU or can 'escape' to EU to avoid rising controversial issues at home. As a result of European integration, political actors now face new structures and possibilities, and can therefore find new ways and arenas to run their activities. For issues such as migration, which have for a long time been connected to nation states and their own policies, the European

integration now implies that the nation state arena might no longer be sufficient to handle these kinds of issues (Geddes 2003: 127-129).

5 The European Pact on Immigration and Asylum

The European Pact makes five basic commitments: to organize legal immigration to take account of the priorities, needs and reception capacities determined by each Member State, and to encourage integration; to control illegal immigration by ensuring that illegal immigrants return to their countries of origin or to a country of transit; to make border controls more effective; to construct a Europe of asylum; to create a comprehensive partnership with the countries of origin and of transit in order to encourage the synergy between migration and development (European Pact 2008: 4).

This analysis will more deeply examine these commitments and reflect upon what impact they may have on nationalism and identity in Europe.

In the introduction of the European Pact, it is stated that the EU has made considerable progress during the last half-century in the creation of a wide area of free movement that now covers most of Europe. This development has, according to the European Pact, provided an increase in freedom for European citizens and nationals of third countries (European Pact 2008: 2). Already here we find the assumption that European citizens are those who are citizens in an EU Member State, and other people are third country citizens. The EU has 27 Member States today, and the Council of Europe has 47 Member States. Are the citizens of those other 20 countries not European citizens? It seems like EU has confiscated the right to call its citizens 'European' although geographically, a lot more people have the right to call themselves European.

In the second paragraph, the European Pact states that "International migration is a reality that will persist as long as there are differentials of wealth and development between the various regions of the world." (European Pact 2008: 2.) This indicates that the EU believes migration is occuring only because people want to improve their standard of living, something Sassen critiques as mentioned above. From this perspective, the western countries see themselves as victims of large migration flows. They fail to see their own role in the process and that migration is much more complex than that people wanting to leave a poor country for a richer one (Sassen 2000: 25).

5.1   A Pact

The EU has through the years written and adopted several documents about immigration and asylum, such as the Global Approach to Migration, the Hague Programme, the Green Paper, etcetera. The European Pact on Immigration and Asylum is the first document on this issue that is called a pact. The question is: what does this signify?

According to the new Penguin English Dictionary, a pact is "an agreement or treaty; *esp* an international treaty" (Allen 2000: 1000). The concerned document qualifies as being a pact and there is nothing wrong in using this word. However, a 'pact' is often associated with peace agreements or military agreements in times of war or conflict, such as the Kellogg-Briand Pact or the Warsaw Pact. It is unusual to use the word 'pact' for the type of document that the European Pact is. The use of this word reinforces the significance and importance of this document and conveys the sense that it will be historic.

5.2   Immigration – Problem or Asset?

It is important to understand how EU addresses immigration. Throughout history, immigration has often been positive for the countries of destination. It has mostly concerned workforce migration, bringing new know-how and contributing to the development of the host countries. But the view of immigrants has changed. In many cases, people thought that the working migrants would return to their country of origin after having completed their work, but instead, people settled in their host country and also brought their families there (Geddes 2003: 15-16). As a result, the host countries ended up with immigrants who were not considered to be useful and who did not directly contribute to these countries' progress. Another development which has arisen is that more and more refugees came to Europe, and they came to be considered more of a problem than an asset in many countries, mainly due to unsuccessful integration.

The second paragraph of the European Pact states that:

> "It [International migration] can be an opportunity, because it is a factor of human and economic exchange, and also enables people to achieve what they aspire to. It can contribute decisively to the economic growth of the European Union and of those Member States which need migrants because of the state of their labour markets or of their demography. Not least, it provides resources for the migrants and their home countries, and thus

contributes to their development. The hypothesis of zero immigration is both unrealistic and dangerous." (European Pact 2008: 2.)

This texts aims to present migration as a win-win situation. For the migrants, it *"enables people to achieve what they aspire to",* for the host countries *"it can contribute decisively to the[ir] economic growth",* and for the home countries *"it provides resources for the migrants and their home countries, and thus contributes to their development"*. Here, migration is described as an asset that brings development to all actors and strengthens individual freedom. But the European Pact makes a distinction between immigration and *illegal* immigration, which is seen as a 'bad' form of migration. Illegal immigration is not defined in the European Pact, but the Communication from the Commission on Policy priorities in the fight against illegal immigration states the following:

> "The term 'illegal immigration' is used to describe a variety of phenomena. This includes third-country nationals who enter the territory of a Member State illegally by land, sea and air, including airport transit zones. This is often done by using false or forged documents, or with the help of organised criminal networks of smugglers and traffickers. In addition, there is a considerable number of persons who enter legally with a valid visa or under a visa-free regime, but "overstay" or change the purpose of stay without the approval of the authorities; lastly there are unsuccessful asylum seekers who do not leave after a final negative decision." (Fight against illegal immigration 2006: 2.)

Hence, the term 'illegal immigration' has many dimensions and therefore needs to be fought in several areas. According to the European Pact, the control of illegal immigration is a way of encouraging the synergy between migration and development (2008: 2). Thus, what we understand from the introduction to the European Pact is that the EU says 'yes' to immigration and 'no' to illegal immigration. Throughout the whole document, the term 'illegal immigration' is used consistently, instead of the somewhat lighter term 'irregular immigration', that describes the same thing. This further suggests that immigration is viewed as a problem.

Making the distinction between 'immigration' and 'illegal immigration' enables the EU to associate positive things with the term 'immigration', while all the negative effects of immigration will be connected to 'illegal immigration'. In this way, EU considers immigration both as an asset and as a problem, and thereby satisfies most of the concerned actors and Member States while also being politically correct.

5.3 Borders

Recent development has resulted in the abolishment of most of the internal border controls within the EU. Having an area where free movement of persons is fully ensured demands further efforts for an integrated control of the access to this area. Therefore, a harmonization of external border controls and asylum standards is required (Hague Programme 2005: 9). To safeguard internal security and to prevent illegal immigration, an overall border model is needed, and the Schengen agreement sets out some measures that must be implemented on different levels. These include activities in third countries, especially in countries of origin and transit; international border cooperation; measures at external borders; and further activities inside the Schengen area (EU Schengen Catalogue 2002: 11).

EU seeks to strengthen the borders in order to keep out unwanted migrants while also aiming to create an economic space that is free from all borders. This means that the immigration politics are not in line with the politics in other important fields for the international system. Such a contradiction has put EU and their Member States in a difficult position. The Member States have received a growing number of legal and illegal migrants during the past decades, and none of the countries seems to believe that it had successful immigration politics. They opened their economies, and the new transnational economic order has reduced the national government control over international transactions. But their immigration politics are still based on old ideas of the nation states and their borders (Sassen 2000: 29).

According to Sassen, a harder border control is the result of misunderstanding that migration is only a result of bad conditions and pogroms in the countries of origin. If decision-making bodies and the public opinion believe this, the only logical answer is to strengthen the border controls, which is exactly what is happening in the EU. Sassen states that the knowledge of why migrant flows arise and how they work is the key to finding new measures to handle these flows (Sassen 2000: 26).

One of the five basic commitments in the European Pact is "to make border controls more effective". In the European Pact, it is stressed that EU has no borders of its own, but it is the responsibility of each Member State to secure their borders. EU will support those Member States whose geographical location exposes them to influxes of migration (European Pact 2008: 9). So even if the borders are on paper national matters, in reality, it is in all Member States' interest to secure borders, especially the eastern and southern borders. EU will also contribute to guarantee these border controls, not least through the Frontex agency whose mission is to coordinate the control of the external borders of EU.

The possibility of setting up a European system of border guards may be examined according to the European Pact (2008: 9). It is clear that EU wishes to have full control of its external borders, which underlines the idea that the EU is one territory, and strengthens the *spatial dimension* of the discourse nationalism to which Özkirimli refers; i.e. that the EU has a common territory that has to be

defended by common means and that it is within this territory that EU citizens can feel safe and 'at home'.

5.4   Europe of Asylum

Creating a Common European Asylum System (CEAS) as an area of freedom, security, and justice comes from the idea of the European Union as a single protection area for refugees, based on the Geneva Convention and the humanitarian values shared by all Member States (Green Paper 2007: 2).

> "The basic layout of the CEAS, as defined in the Tampere Programme and confirmed by the Hague Programme, consists in the establishment of a common asylum procedure and a uniform status valid throughout the EU. The ultimate objective pursued at EU level is thus to establish a level playing field, a system which guarantees to persons genuinely in need of protection access to a high level of protection under equivalent conditions in all Member States while at the same time dealing fairly and efficiently with those found not to be in need of protection." (Green Paper 2007: 2.)

The European Pact continues along this line by naming one of its basic commitments: "construct[ing] a Europe of asylum". The European Pact reiterates consistently with the Green Paper that "any persecuted foreigner is entitled to obtain aid and protection on the territory of the European Union in application of the Geneva Convention" (European Pact 2008: 11). The European Pact notes that "considerable disparities remain between one Member State and another concerning the grant of protection and the forms that protection takes." (idem.) The grant of protection and refugee status remains the responsibility of each individual Member State, but still the EU wants to take new initiatives on the establishment of CEAS and thus "offer a higher degree of protection" (idem). The EU is convinced that a common asylum system will grant better protection for the refugees, which is not necessarily true since the common database makes it impossible for asylum seekers to get a second chance for asylum. The European Pact gives formulations such as "in line with one another", "a single procedure", "common guarantees" and "uniform status" (European Pact 2008: 11). This aim to create a fully harmonized asylum system throughout all the EU Member States is not adapted to individual needs, and therefore does not guarantee "a higher degree of protection" as stated in the European Pact.

The European Pact suggests that "in the case of crisis in a Member State faced with a massive influx of asylum seekers, to enable the secondment of officials from other Member States to help that State" (European Pact 2008: 12). This is an example of Laclau and Mouffe's *equivalent chains*. Here asylum seekers are

associated with the word 'crisis' which brings very negative connotations to asylum seekers and definitely portrays them as a problem rather than an asset. This phrase also implies that asylum seekers are a burden, and that EU Member States must show solidarity with one another and share that burden. This increases the idea of 'us' (inside EU) and 'them' (outside EU). The European Pact implies that the EU Member States must work together and help each other to handle the migration pressure coming from the 'outside'.

5.5   Countries of Origin and of Transit

One of the most important ways of controlling illegal immigration is to build partnerships between countries of origin and transit, as well as increase cooperation between Member States and the European Commission (Global Approach to Migration one year on 2006: 11). The Hague Programme also emphasizes that a common immigration policy requires "a serious investment in relations with third countries, both of origin and of transit, notably through assistance and cooperation, in the mutual interest of third-countries and of the Union." (Hague Programme 2005: 9.)

Migration flows have existed throughout history, and the number of migrants today worldwide is not higher than during other periods in relation to the world population. But migration has become more important for Europe, which has changed from a region of emigration to a major region for immigration. In 2004, most immigrants to the EU region came from Romania, Morocco, Bulgaria, Turkey, Ukraine and the Russian Federation. During the last years, the immigration flows to the EU have become more diversified with people coming from new destinations in Central and Eastern Europe, Asia (mostly China) and Central and Latin America, as well as Africa. The migratory pressure will most likely continue to grow and EU will need migrants in order to ensure the sustainability of its labour markets. "The EU needs to compete with other world regions and it needs migrants with the appropriate skills to accomplish that." (Global Approach to Migration one year on 2006: 2.)

The commitment in the European Pact is to "create a comprehensive partnership with the countries of origin and of transit to encourage the synergy between migration and development" (European Pact 2008: 13). The EU supports the countries involved and builds a partnership with them that will organise legal migration, control illegal immigration and encourage the development for all the countries concerned and the migrants themselves. The aim is to conclude EU-level or bilateral agreements with the countries of origin and of transit (European Pact 2008: 13). Although immigration politics are becoming more and more an issue to be handled on EU-level, there is still space for Member States to act on their own, especially for countries with borders towards non EU countries to establish bilateral agreements based on their national needs.

It is noted several times that the number of immigrants Member States allow into their countries must be in line with labour market opportunities, and that persons with the 'appropriate skills' are welcome. The European Pact even encourages "to increase the attractiveness of the European Union for highly qualified workers and take new measures to further facilitate the reception of students and researchers and their movement within the EU" (European Pact 2008: 5). But creating good opportunities for skilled and educated persons to come to Europe might cause a brain drain in the countries of origin, which in the long run, will create even larger flows of illegal immigration. In order to prevent this, the European Pact encourages Member States to, as far as possible, offer nationals of partner countries training or professional experience that they can use for the benefit of their home countries (European Pact 2008: 13). Nice formulations in the document ensure that the EU has the interest for all parties in mind when formulating its policy on migration. But the politics as a whole are not very different from how a nation state would manage its politics on immigration, and are not more universalistic or humanitarian. All cooperation with third countries is for the sake of finding the means to prevent illegal immigration on both a short-term (border controls) and a long-term (capacity-building) basis.

6 Conclusions

As we have seen in the background chapter, the immigration politics, which for a long time remained a national issue, is becoming a part of the EU agenda. The Member States still have some power in deciding who and how many immigrants and asylum seekers they will grant access, but they are also urged to take the interests of other Member States into consideration when making those decisions. The Schengen agreement gives all citizens in the Member States the right to travel freely in the Union, therefore the Member States are very dependent on each other's decisions. This is also why the EU draws up more and more regulations in the migration area. This supra nationalization of the decision-making of course undermines the role of the nation states, and also to some extent, nationalism.

However, both the nation states and nationalism still have a role to play in Europe and the EU is aware of this. Therefore, it is often stated in the European Pact that the interests of the Member States have to be taken into consideration and that each Member State has to act in a way that does not bring negative effects to other Member States. The EU is still balancing nationalistic and transnational interests. But it is not disregarding that the Member States have voluntarily given up some of their sovereignty to the EU. We are moving towards a stronger EU and weaker nation states, slowly but safely. It is true that in parts of Europe, people are still fighting for their independence and for their own nation state. Perhaps it is only after state sovereignty is obtained that it is possible to give up some of it.

The borders within the European Union are disappearing and soon they may only exist in our minds. At the same time, the outer borders of the Union are being reinforced and this strengthens the spatial dimension, i.e. the common EU territory. This is a conclusion from analysing the European Pact. Whether the other three nationalist dimensions (temporal, symbolic and everyday) are also being strengthened is hard to determine from the European Pact, but it is believed that the EU is trying to encourage a common history and a common future, as well as providing 'nationalist' symbols such as a flag and an anthem. The more complex everyday dimension is what makes me believe that even if an EU identity is developing, it will not kill the national identities. Our behaviour in everyday life, and not least our different languages, is why it will take a lot more time before the citizens of the European Union will give up their national identities. But the ongoing European integration does create a common platform for its citizens and the fellowship between the Member States is increasing. So do not be surprised if people who are Swedish, French, Polish, German or Romanian also consider themselves European.

The fuel for existence, for humans as well as international organizations, is to have goals for which to strive and once we have reached our goals, we need new

ones to keep living. The original goals for the EU are its four freedoms, and today they have pretty much fulfilled this dream. For a continuously meaningful existence, the EU now needs new goals and new dreams, and perhaps this is why it constantly seeks new areas for European cooperation. Creating an EU identity or conditions for an EU identity to grow and to build up a European pride could be new goals for the EU that secures the legitimacy of its existence. The EU *is* its Member States, but this development undermines the fundamentals of the Member States, and it appears as if the EU has become a living being with its own goals in life. Creating an EU identity may not be an official goal for the EU but more a natural development that the EU seeks for itself and its own *raison d'être.* If EU shall continue to be strong, she needs the loyalty from her citizens.

6.1   Suggestions for Further Research

A harmonization of immigration policy is seen as an elite project that is built in line with business interests. The public opinion tends to follow elite opinion over time, and it could be interesting to delve into to what degree the European public opinion is supportive or hostile towards giving EU increased control over immigration (Luedtke 2005: 85). An interesting approach would be to analyze the debate in different Member States on their reactions to EU getting more authority in the immigration field from the Member States. Do the Member States feel threatened by EU taking over power, and would they consider possible increased EU loyalty as a threat to the loyalty for the state? This kind of research could focus on statements from political leaders and media in order to see if the debate raises concern over EU's increased influence or if it is welcomed. Another more complicated study would be to investigate with what the EU citizens identify and if it could be possible to determine if more and more people tend to see themselves as EU citizens.

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